

**LEGISLATIVE SERVICES AGENCY  
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**FISCAL IMPACT STATEMENT**

**LS 7188**

**BILL NUMBER:** HB 1221

**NOTE PREPARED:** Apr 28, 2003

**BILL AMENDED:** Apr 26, 2003

**SUBJECT:** Water Quality, Solid Waste Districts, Environmental Rules and Policies.

**FIRST AUTHOR:** Rep. Bottorff

**FIRST SPONSOR:** Sen. Gard

**BILL STATUS:** Enrolled

**FUNDS AFFECTED:** ☒ **GENERAL**  
**DEDICATED**  
**FEDERAL**

**IMPACT:** State & Local

**Summary of Legislation:** (CCR Amended) This bill establishes criteria for variances from water quality standards that are at least in part the basis of a National Pollutant Discharge Elimination System (NPDES) permit. The bill prohibits a solid waste management district from issuing permits for an activity that is already permitted by a state agency, except as expressly granted by statute. It requires the Water Pollution Control Board to adopt certain rules concerning outstanding state resource waters and exceptional use waters. This bill also prohibits the Air Pollution Control Board, Water Pollution Control Board, or Solid Waste Management Board from adopting a new rule and the Department of Environmental Management from adopting a new policy before July 1, 2005, if the new rule or policy would require certain industries to comply with standards of conduct that exceed federal standards.

**Effective Date:** Upon Passage; December 31, 2000 (retroactive); December 31, 2002 (retroactive); July 1, 2003.

**Explanation of State Expenditures:** There will be no fiscal impact to the Department of Environmental Management (IDEM) associated with the revisions to the statutory requirements for a variance from an NPDES permit condition. The costs for processing an NPDES permit variance request will not differ significantly as a result of the proposal. Costs associated with amending the rules would be absorbed with existing resources.

IDEM should be able to absorb any additional administrative costs associated with requiring the Water Pollution Control Board to adopt certain rules concerning outstanding state resource waters and exceptional use waters.

Prohibiting the Air Pollution Control Board, Water Pollution Control Board, or Solid Waste Management Board from adopting a new rule and the Department of Environmental Management from adopting a new policy before July 1, 2005, if the new rule or policy would require certain industries to comply with standards of conduct that exceed federal standards would have an indeterminable fiscal impact. The impact would depend on the nature of rules or policies that would have been adopted.

**Explanation of State Revenues:**

**Explanation of Local Expenditures:** Prohibiting a solid waste management district from issuing permits for an activity that is already permitted by a state agency, except as expressly granted by statute, will have an indeterminable fiscal impact. The impact will depend on current local practices and may vary from district to district.

**Explanation of Local Revenues:**

**State Agencies Affected:** Air Pollution Control Board, Water Pollution Control Board, Solid Waste Management Board, and the Department of Environmental Management.

**Local Agencies Affected:** Solid Waste Management Districts.

**Information Sources:** Department of Environmental Management.

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